

# REPORT

**DATE:** April 3, 2008  
**TO:** Regional Council  
**FROM:** Force For Change Committee  
**SUBJECT:** Consideration of Proposed Changes to the Regional Council Policy Manual

**EXECUTIVE DIRECTOR'S APPROVAL:**



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## RECOMMENDED ACTION:

Approve changes to the Regional Council Policy Manual as proposed by the Force For Change Committee, with the caveat that any respective Policy Manual changes related to the SCAG Bylaws amendments will only take effect upon the General Assembly's approval of said Bylaws amendments.

## BACKGROUND:

As a holdover from the discussion last month, the Force For Change Committee (Committee) seeks the Regional Council's consideration and approval of certain changes to the Regional Council Policy Manual (Policy Manual). As background, the Force For Change Committee is an ad-hoc committee, established last year by SCAG President Gary Ovitt as part of last year's Regional Council Retreat. The Committee is comprised of approximately 15 Regional Council members, noted as follows: Hon. John Beaman, Brea; Hon. Stan Carroll, La Habra Heights; Hon. Debbie Cook, Huntington Beach; Hon. Richard Dixon, Lake Forest; Hon. Jon Edney, El Centro; Hon. Bonnie Flickinger, Moreno Valley; Hon. Lee Ann Garcia, Grand Terrace; Hon. Paul Glaab, Laguna Niguel; Hon. Keith Hanks, Azusa; Hon. Barbara Messina, Alhambra; Hon. Larry McCallon, Highland; Hon. Carl Morehouse, San Buenaventura; Hon. Paul Nowatka, Torrance; Hon. Pam O'Connor, Santa Monica; Hon. Alan Wapner, Ontario; and Hon. Gary Ovitt, County of San Bernardino. SCAG Second Vice-President Harry Baldwin also participated in the Force For Change meetings.

The goal of the Committee was to come together to develop ideas for improving the effectiveness of the agency and creating overall positive change. Last month, the Regional Council considered and made recommendations regarding the Committee's proposed changes to the SCAG Bylaws. A summary of the Regional Council's recommendations to changes to the Bylaws is reflected in the table attached hereto as Attachment "1."

Related to these proposed Bylaws changes, the Force For Change Committee also proposed changes to the Policy Manual, which was adopted last year by the Regional Council. In certain instances, the proposed Policy Manual changes are intended to operate in conjunction with the proposed changes to the Bylaws; therefore, with respect to these particular changes, they will become effective subject to the approval of the proposed Bylaws amendments by the General Assembly, set to be considered on May 8, 2008. It should also be noted at the outset that given the length of the Policy Manual, only pertinent pages of the Policy Manual are included with this report. Copies of the entire Policy Manual, complete with all changes

# REPORT

proposed by the Force For Change Committee, will be made available at the meeting.

## SUMMARY:

### A. Proposed Changes to Policy Manual which are related to SCAG Bylaws amendments

On March 6, 2008, the Regional Council recommended that the SCAG Bylaws be amended to eliminate the operation of the Executive Committee, and that the Administration Committee assume all current functions of the Executive Committee. The Policy Manual has been revised to be consistent with such recommendation. For example, all references to the Executive Committee in the Policy Manual have been eliminated, and replaced with references to the Administration Committee, as appropriate. Similarly, the policies relating to the conduct of the Administration Committee have been revised to reflect that the SCAG President shall serve as the Chair of the Administration Committee (*see*, page 3 of the attached Policy Manual).

### B. Proposed Changes to the Policy Manual which are not related to SCAG Bylaws amendments

The Force for Change Committee has also proposed changes to the Policy Manual which are not linked to the Bylaws amendments. For example, clarification has been proposed regarding the Chairs and Vice-Chairs of Policy Committees, and their respective terms of office (*see*, pages 3-4 of the attached Policy Manual).

The Committee has also proposed eliminating the policy in the Policy Manual which specified the “Meeting Day Schedule” (*see*, page 4 of the attached Policy Manual). As you may recall, this Schedule was adopted last year with the intent to improve the time management of meetings and specifically to provide the Policy Committees with additional time to discuss matters. However, as we have discovered during the course of the year, it has been difficult to adhere to the schedule, and the Force for Change Committee concluded that it would be best to eliminate the set schedule in its entirety and alternatively, to allow the President and the respective Policy Chairs to determine the actual time schedule of their meetings as appropriate, with the understanding that the day of the regular meetings of the Administration Committee, Policy Committees and the Regional Council would remain on the first Thursday of each month (*see*, page 5 of the attached Policy Manual).

Finally, to improve relationships with other agencies as well as the accessibility of SCAG staff, the Force for Change Committee proposed amending the “Regional Council Strategic Plan” to include a policy whereby SCAG will “endeavor to place offices in each of the counties (which may include sharing office space with SCAG’s member agencies and partners) in order to increase opportunities for consensus building as well as to assist in the local-level implementation of SCAG’s regional plans and policies” (*see*, page 36 of the attached Policy Manual). Subject to discussion by the Regional Council, the Force For Change recommends the Regional Council approve all the changes proposed.

## Attachments:

- (1) Table summarizing Proposed Bylaws Amendments submitted by the Force for Change Committee and related recommendations made by the Regional Council on March 6, 2008; and
- (2) Proposed changes to the Regional Council Policy Manual submitted by the Force for Change Committee

Proposed Bylaws Amendments by Force For Change (FFC) Committee		Recommendations by Regional Council (recommendations made March 6, 2008)
Issue	FFC Proposal	
(1) How Special Meetings of the General Assembly are called	Special Meetings for the GA may be called by the RC upon the written request of the SCAG President and approval by the RC (see p. 4 of attached Bylaws)	Adopt FFC Proposal regarding this issue
(2) Membership to RC	To improve relationships with other agencies, add one (1) representative to represent all five (5) air districts within SCAG to serve on the RC; representative must be a board member of one of the five air districts (see p. 5 of attached Bylaws)	Adopt FFC Proposal regarding this issue, except add that representative must be "an elected" board member from one of the five air districts.
(3) When the RC, Executive Committee and Policy Committees meet	In order to improve decision-making process, the RC meets every odd-numbered month and the Executive Committee and Policy Committees meet every month (see pp. 9, 12 and 14 of the attached Bylaws).	Not adopt FFC Proposal and keep existing language in the Bylaws as-is (i.e. unless otherwise determined by the RC, the RC meets once a month).
(4) Role of the Executive Committee	To improve efficiency, the Executive Committee would assume current functions of the Administration Committee (see p. 15 of the attached Bylaws)	Amend FFC Proposal so that Administration Committee assumes current functions of the Executive Committee
(5) Composition of the Executive Committee	Executive Committee (having assumed current functions of the Administration Committee) is composed of: SCAG officers (President, First V-P, Second V-P and Immediate Past President); the three (3) Policy Comm. Chairs; and six (6) additional RC members who are from governing board of either the CTCs, IVAG and subregional organizations within SCAG. President to ensure all six (6) counties are represented within the committee. One member from private sector to serve in non-voting capacity. Total of 13 voting members; quorum is seven (7) (see pp. 14 and 15 of the attached Bylaws)	Amend FFC Proposal so that the Administration Committee (having assumed current functions of the Executive Committee) is composed of: SCAG officers; the three (3) Policy Committee Chairs; the (3) Vice-Chairs of the Policy Committees; and three (3) additional RC members who are from governing board of either CTCs, IVAG and subregional organizations within SCAG. One member from private sector to serve in non-voting capacity. President to be chair of the Administration Committee and to ensure all 6 counties are represented within the committee. Total of 13 voting members; quorum is seven (7).
(6) Composition of the Nominating Committee	Nominating Committee composed of RC members who collectively represent six (6) counties within SCAG, with at least two(2) County representatives (see p. 15 of the attached Bylaws)	Amend FFC Proposal so that Nominating Committee composed of five (5) District representatives and two (2) County representatives, and collectively all six (6) counties within SCAG are represented.
(7) Nomination of officers	Regional Council may consider and approve candidates for each office nominated directly from the floor as part of RC meeting (see p. 16 of the attached Bylaws)	Adopt FFC Proposal regarding this issue
(8) Officers to alternate between cities and counties	Eliminate provision that "office of the Second Vice-President shall alternate to have a county representative every fourth year" (see p. 16 of the attached Bylaws)	Adopt FFC Proposal regarding this issue
(9) "Housekeeping" issues	To provide consistency within the Bylaws document, certain housekeeping changes are proposed. For example, the RC shall have power to "establish" (not "appoint") committees since current Bylaws provides President with authority to make	Adopt FFC Proposal regarding these issues.

## REGIONAL COUNCIL POLICY MANUAL

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## **SCAG Mission Statement (Adopted November 7, 1996)**

### **LEADERSHIP, VISION, PROGRESS**

*Leadership, vision and progress* which promote economic growth, personal well-being, and livable communities for all Southern Californians.

#### **The Association will accomplish this Mission by:**

- Developing long-range regional plans and strategies that provide for efficient movement of people, goods, and information; enhance economic growth and international trade; and improve the environment and quality of life.
- Providing quality information services and analysis for the region.
- Using an inclusive decision-making process that resolves conflicts and encourages trust.
- Creating an educational and work environment that cultivates creativity, initiative, and opportunity.

**ARTICLE I: REGIONAL COUNCIL PROCEDURES<sup>1</sup>**  
(Effective May 3, 2007; Adopted March 1, 2007)

**Section 1**

- 1.1 District Representative Election Procedures:** Upon establishment of Districts by the Regional Council, an election of a District representative for each District shall be held as set forth below.
- A. For purposes of this section 1.1, a quorum shall be recorded votes from at least two-thirds (2/3) of the SCAG Member Cities in each District.
  - B. District representative elections shall take place not later than one (1) month prior to the annual General Assembly meeting for applicable District election years or as otherwise set forth by the Regional Council.
  - C. District representatives for each District shall be elected by their peers from among locally elected city council members of cities who are members of SCAG within a District by a majority vote of a quorum. The District shall conduct the election and tabulate the results of said election at regular meetings of formally or informally constituted local government associations, division meetings of the League of California Cities and/or special meetings requested by all SCAG Member Cities within a District. Notwithstanding the above, in the event one or more SCAG Member Cities in a District are located a substantial distance from the location where the election is to take place, the SCAG Member Cities in the District may permit one or more SCAG Member Cities to participate in such election by video teleconferencing or other telephonic means pursuant to procedures adopted by the Regional Council and the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code) ("Brown Act").

**Section 2**

**2.1 Regional Council Meetings:**

- A. Notice for Regional Council meetings shall be provided in accordance with the Brown Act.
- B. In the event a member of the Regional Council fails to attend (3) consecutive meetings of the Regional Council, the applicable county or

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<sup>1</sup> These procedures were formerly SCAG Bylaws provisions, which were moved from the Bylaws into this separate Regional Council Policy Manual, pursuant to Regional Council action on March 1, 2007 and SCAG Bylaws Amendment #3 approved by the General Assembly on May 3, 2007.

cities comprising said member's District or the Tribal Government Regional Planning Board shall be notified of such member's failure to attend.

- C. Unless otherwise determined by the Regional Council, it shall consider recommendations from the Policy Committees at the Regional Council meeting in the following month.

## 2.2 Administration Committee:

- A. The Chair of the Administration Committee shall be the current President of SCAG, who shall preside over meetings of the Administration Committee. The Vice Chair of the Administration Committee shall be the First Vice President of SCAG. The Chair and Vice Chair of the Administration Committee shall serve for a one (1) year term, which shall expire upon the adjournment of the regular meeting of the General Assembly.

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- B. The Administration Committee may meet on a day other than the date of the regularly scheduled meeting of the Regional Council on a date and time determined by the President.

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- C. In the event that the Administration Committee meets on other than a regularly scheduled date of the Regional Council, the President or his designee shall notify the Regional Council in advance of the Administration Committee meeting and submit a full written report of the Administration Committee's activities and actions at the next regularly scheduled meeting of the Regional Council.

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- D. Unless otherwise required by law, all recommendations from the Administration Committee shall be placed on the Regional Council agenda for consideration on the same day as action items.

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- E. A quorum of the Administration Committee shall be seven (7) of its voting members.

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## 2.3 Policy Committees:

- A. The Policy Committees may elect by a majority of the Committee members present the Chair and Vice Chair for each of the Policy Committees to serve a one (1) year term, which shall expire upon the adjournment of the regular meeting of the General Assembly. The position of Chair and Vice Chair shall be held by Committee members who are also Regional Council members. Persons may serve a consecutive one-year term as Chair or Vice Chair upon the election of the respective Committee members; provided, however, that no person

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may serve as Chair or Vice Chair for more than two consecutive years. Any person who served as Chair or Vice Chair of a Policy Committee for two consecutive years must wait one year before re-assuming the position of Chair or Vice Chair, provided that any Vice Chair who has held such position for two years may immediately commence to serve as Chair the following year for up to two consecutive years. If a vacancy occurs in the office of Chair, the Vice Chair shall serve as Chair for the unexpired term and a new Vice Chair shall be elected by a majority vote of the Committee present to fill the unexpired term.

- B. A quorum for each committee shall be one-third (1/3) of its voting members. To take action shall require an affirmative vote of a majority of the members constituting a quorum.
- C. The Policy Committees shall meet on the same day as the Regional Council unless otherwise scheduled by the Chair of the Committee with the concurrence of a majority of a quorum of the Committee.
- D. Only locally elected Tribal Council members and elected public official members of the Policy Committees shall be compensated for attendance at the Policy Committee meetings.

#### 2.4 Amendment or Waiver of Policies and Procedures

By majority vote of a quorum, the Regional Council may amend or waive any policies and procedures set forth in the Policy Manual except for requirements of a quorum, the Brown Act or other provisions of law, and SCAG personnel and administrative policies attached as Appendix B.

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A. dd numbered The Executive Committee may meet on a day other than the date of the regularly scheduled meeting of the Regional Council on a date and time determined by the Executive Committee. ¶

B. In the event that the Executive Committee meets on other than a regularly scheduled date, the President shall submit a full written report of the Executive Committee's activities and actions at the next regularly scheduled meeting of the Regional Council. ¶

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## ARTICLE II: GUIDELINES AND PRINCIPLES FOR THE CONDUCT OF SCAG REGIONAL COUNCIL AND COMMITTEE MEETINGS<sup>2</sup>

These Guidelines and Principles are intended to assist the Regional Council and the Committees of the Regional Council ("Committees") in the efficient, effective and orderly management of meetings. The Guidelines and Principles will further facilitate the active participation and consideration of the views of the members of the Regional Council at meetings. In order to implement the Guidelines and Principles set forth below, the Rules of Procedure for Conduct of Meetings of the Regional Council and the Committees are attached as *Appendix A* to this Regional Council Policy Manual. Selected SCAG Administrative and Personnel policies that affect Regional Council and Committee members are attached as *Appendix B* to this Policy Manual.

### Section 1

- 1.1 Time of Meetings:** Unless otherwise determined by the President or the Regional Council, the Regional Council, the Administration Committee and the Policy Committees shall meet regularly on the first Thursday of each month with the actual time of said meetings to be determined by the President and respective Policy Committee Chair. Additional meetings may be called in accordance with the Bylaws.  
(Art. V, Sec. A.3)
- 1.2 Open Meetings:** All meetings of the Regional Council and Committees shall be conducted pursuant to the Ralph M. Brown Act and shall be open to the public; provided, however, that the Regional Council and Committees may hold closed session as otherwise permitted by law.
- 1.3 Communications from the Public**
- A. Members of the public desiring to speak on an agenda item must notify the Secretary prior to speaking and submit a card indicating his or her name, organization and topic or agenda item.
  - B. Public comments shall be made at the beginning of each meeting.
  - C. Three minutes is the maximum time which is allotted to each speaker unless a majority vote extends the time.

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<sup>2</sup> The Guidelines and Principles for the Conduct of SCAG Regional Council and Committee Meetings were reviewed at the Regional Council Retreat, June 3-4, 1993; however, there is no record of their formal adoption by the Regional Council.

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- D. All remarks shall be addressed through the President (or Chair) to the Regional Council as a body and not to any member.

#### 1.4 **Agendas**

- A. All matters for the information of or action by the Regional Council shall be submitted to the Regional Council on an agenda submitted by the Executive Director.
- B. Prior to a regular meeting of the Regional Council, the Regional Council agenda with supporting materials shall be delivered to each Regional Council member. Prior to a regular meeting of the Administration Committee, and Policy Committees, each Committee member shall receive the agenda with supporting materials of the Committee to which he or she is appointed. Each substantive item on an agenda shall contain a staff summary. In addition, upon request, a Regional Council member shall receive an agenda for meetings of a committee to which he or she is not a member (without supporting materials, unless otherwise requested).
- C. The Regional Council agenda shall begin with a call to order, the pledge of allegiance, and a public comment period. The remainder of the Regional Council agenda shall follow the order contained in *Appendix A*, unless otherwise determined by the Regional Council.

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#### 1.5 **Presiding Officer of Regional Council**

The President shall be the presiding officer of the Regional Council. The Vice President shall act as the presiding officer in his/her absence. The Second Vice President, followed by the Immediate Past President, shall act as the presiding officer in the absence of both of the above officers. (See Bylaws, Art. VI, Sec. E.)

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#### 1.6 **Order of Business of Regional Council**

When the Regional Council has been called to order, the business of the Regional Council shall be considered in the order prescribed in the agenda, unless otherwise determined by the Regional Council in accordance with law. Each item shall be read by the President before it is considered.

#### 1.7 **Reading of Minutes of Meetings of the Regional Council**

The minutes of a meeting may be approved without reading if each member has previously received a copy unless a reading of the minutes is requested by a member.

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## **1.8 Presentations to Regional Council**

The Agenda shall identify the Committee Chair reporting on the item. The Committee Chair or the Presiding Officer may call upon appropriate staff to report on the item.

## **1.9 Rules of Order**

Business in the Regional Council and in the Committees shall be conducted according to the Rules of Order regarding Motions, Subsidiary Motions and Motions of Privilege, Order and Convenience. The Rules of Order are contained in *Appendix A*.

## **1.10 Voting**

Generally, the affirmative votes of a majority of a quorum of members are required for an action. In the case of nearly unanimous votes, names of members of the non-prevailing side may be recorded. Voting procedures shall be conducted as provided in the Bylaws (Art. V, Sec. A.5.) and *Appendix A*.

## **1.11 Motions**

All voting members may make motions, pursuant to the procedures in *Appendix A*. For every motion the minutes should reflect by name the motion-maker and seconding member.

## **1.12 Decorum**

The Regional Council and Committees shall not prohibit constitutionally protected speech from persons properly addressing the meetings. The President (or Chair), however, need not permit conduct which shall improperly disrupt the Regional Council meeting. Members of the public may be ejected from the meeting if they violate this section.

## **1.13 Disorderly Conduct**

In the event that any meeting is willfully interrupted so as to render the orderly conduct of such meeting impossible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the President (or Chair) may order the meeting room cleared and continue in

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session in accordance with the provisions of Government Code Section 54957.9 and any of its amendments.

#### 1.14 Committees

- A. Agenda items for the Regional Council may be initiated by the Administration Committee, the Policy Committees, or other committees established by the Regional Council as appropriate.
- B. When reporting on committee action in the Regional Council, each Committee Chair may report the number of Committee members who were present and the vote count on the item.

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#### 1.15 Ad Hoc Committees

The Regional Council may form ad hoc committees at the pleasure of the Regional Council. Unless otherwise ordered by the Regional Council, members of ad hoc committees shall be appointed by the President and the chair of each ad hoc committee shall be designated by the President.

### Section 2

#### 2.1 SCAG Personnel and Administrative Policies

Selected provisions of SCAG policies regarding discrimination, harassment, injury and illness prevention, alcohol and drug abuse, and workplace violence are applicable to the members of Regional Council and Committees as well as to SCAG employees. Applicable sections of the Personnel Rules are attached as *Appendix B*.

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### **ARTICLE III: CLOSED SESSIONS AND MEMBER AGENCIES**

(Adopted February 3, 2005)

In accordance with §54956.96 of the California Government Code, SCAG hereby adopts a policy enabling Member Cities and Counties of SCAG the authority to conduct closed sessions of their respective legislative bodies to receive, discuss, and take action concerning information obtained in a closed session of the Regional Council of SCAG, if that information has direct financial or liability implications for that City or County Member of SCAG.

Notwithstanding anything to the contrary, all information received by the City or County Member of SCAG in a closed session related to information presented to SCAG in a closed session, shall be confidential. However, a member of a City Council or Board of Supervisors who are members of SCAG may disclose information that has a direct financial or liability implications for that Member City or County to the following individuals: (1) legal counsel for the City or County Member of SCAG; and (2) other members of the legislative body of the City or County Member of SCAG, all in accordance with the provisions of §54956.96(a)(1)(A) and (B).

**ARTICLE XI: REGIONAL COUNCIL STRATEGIC PLAN, GOALS AND STRATEGIES<sup>9</sup>** (Amended February 5, 2004 and November 7, 2002; Adopted October 8, 1998)

**Section 1: Regional Leadership**

**1.1 Goal One—Pre-Eminent Regional Agency**

The Regional Council shall strive to maintain SCAG's position as the pre-eminent regional institution by providing leadership and creating consensus on a vision of the region's future.

**A. Strategy**

The Regional Council, in collaboration with SCAG's member agencies and partners, shall provide the leadership needed to develop through consensus a vision of Southern California's future. This process would involve identifying both short and long term objectives for addressing the region's most pressing economic, social and environmental issues. As a part of this effort, SCAG should develop and foster a regional dialogue to further the formation of the consensus vision that is a critical component of the leadership process. SCAG will also endeavor to place offices in each of the counties within the SCAG region (which may include sharing office space with SCAG's member agencies and partners) in order to increase opportunities for consensus building as well as to assist in the local-level implementation of SCAG's regional plans and policies.

SCAG's extensive database on demographic and economic trends, work relating to its Growth Visioning process, and its Regional Transportation Plan (RTP) are some of the agency's vital organizational and planning assets that should be used to support the consensus building process.

**1.2 Goal Two—A Voice for the Region**

The Regional Council shall provide leadership in developing and articulating positions on critical regional issues in Sacramento and Washington, D.C.

**A. Strategy**

<sup>9</sup> Introductory and background information contained in the "SCAG Ten-year Strategic Plan" are omitted.  
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**Meeting Day Schedule:**

**Administration Committee:**  
a.m.

**8:30-9:00**

**Transportation and Communications Committee (TCC):** 9:00-11:30 a.m.

**Energy and Environment Committee (EEC):** 9:00-11:30 a.m.

**Community, Economic and Human Development  
Committee (CEHD):**  
a.m.

**9:00-11:30**

**Regional Council:**

**11:45 a.m. -1:15 p.m.****2.6**

Additionally, with respect to the Meeting Day Schedule above, Section 2.5, the date and time of the meetings are subject to change at the discretion of the President or respective Committee Chairs.